

Supervisors hire firm to fight BLM

Supervisor Jon McQuiston seeks due process and accountability in BLM road-closure plan

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In the latest development in the fight to preserve access to the Mojave Desert, the Kern County Board of Supervisors has resolved to hire environmental law consultants to address controversial BLM actions to close desert roads and trails in the El Paso Mountains south of Ridgecrest.

The Kern County Supervisors were compelled by controversial BLM management programs and the increasingly difficult public access to hire the environmental law consultants to provide “a second opinion on regulatory and statutory processes and procedures ... to make sure that due process is served” according to Kern County 1st District Supervisor Jon McQuiston. He expressed his determination to ensure that every administrative and legal option available is exercised to openly address public land users’ concerns regarding the proposed BLM road closures.

As much as 61 percent of the roads in the El Pasos south of Ridgecrest are slated for closure by the BLM. While McQuiston acknowledged that it makes sense to close some roads — redundant parallel tracks for example — he and others voiced concern about the methods used to select roads and trails for closure. “A year ago, we asked them [the BLM] to explain the criteria for the closures ... after one year since we’ve asked them they still don’t answer the question,” McQuiston said.

According to Ed Waldheim, long-time advocate for off-roaders and president of California Off Road Vehicle Association, there is no concrete criteria. “Their plan is to base the closures on three-year-old satellite imagery, arbitrarily canceling a certain ratio of roads per section — a rather dubious scientific approach.”

McQuiston said requests that the BLM do a field check of the roads depicted on the satellite images slated for closure have been met with agency refusal. He said he hopes that with the aid of the consultants, a proper legal forum will be identified to voice objections and appeals by all parties.

BLM officials contacted by the News Review were unaware of the McQuiston’s announcement and could not comment. Mojave Desert Plan Project leader Bill Haigh could not be reached for comment on the closures by press time.

The closures are part of the growing restrictions to protect the desert and minimize degradation while accommodating such uses as mining, grazing and recreational uses, including birdwatching, backpacking, rock collecting, hiking and off-roading. The latest closures proposed are part of the West Mojave Coordinated Management Plan to accommodate the often conflicting interests of environmental-protection and multiple-use groups.

Access to public lands in East Kern is systematically being curtailed, according to McQuiston. “This has an economic impact on the Ridgecrest region, with mineral and grazing rights, and recreational users all heavily impacted.”

Many observers have joined the county officials in voicing concern over whether the BLM staff is following due process and promoting public involvement as required by law. According to Ron Schiller, Chairman of the High Desert Multiple Use Coalition, “The process for public involvement in policy has become so complex and convoluted that the public doesn’t understand [the process] anymore. Add that to the fact that [the BLM] does the very minimum to fulfill the mandated public comment period.”

Many observers have expressed criticism of the March 20 settlement of the lawsuit brought more than a year ago by the Sierra Club, the Center for Biological Diversity and others against the BLM for its failure to consult with other agencies regarding its management policies in accordance with the Endangered Species Act. Court documents regarding the settlement may be found on the BLM **website at www.ca.blm.gov**.

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